

# Interview Summary

Application No.

09/529,543

Applicant(s)

Schwarz et al.

Examiner

Susan Tran

Group Art Unit

1615

All participants (applicant, applicant's representative, PTO personnel):

(1) Susan Tran(3) James Rulland(2) Gollamudi Kishore

(4) \_\_\_\_\_

Date of Interview Nov 7, 2001Type: a) ☐ Telephonicb) ☐ Video Conferencec) ☒ Personal (copy is given to 1) ☐ applicant 2) ☐ applicant's representative]Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: \_\_\_\_\_

Identification of prior art discussed: \_\_\_\_\_

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The attorney argued that the burden is upon the examiner first to establish reasonably the reasons for thinking why the prior art product is similar to instant product since in prior art the xylitol & sorbitol are mixed together in the solid form whereas in instant invention they are mixed in a solution form. However a close examination of Virfaren indicates a 34% of sorbitol was mixed with xylitol in the fluid bed granulator and therefore it would appear that both sugars are in solution. Therefore the burden is upon applicant to show that the instant product is different from prior art. It was Data suggested showing unexpected results, therefore, is essential. It was suggested that the process be shown to total product and not the intermediate product of xylitol & sorbitol. Since the application is under final, any amendment may or may not be entered.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

*Gollamudi S. Kishore*  
Gollamudi S. Kishore, PhD  
Primary Examiner  
Group 1600

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.